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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/625,643

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ALEXANDRIA, VA 22320

EXAMINER

BRADLEY, MATTHEW A

ART UNIT

PAPER NUMBER

2187

MAIL DATE

DELIVERY MODE

09/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/625,643	Applicant(s) FUJITA ET AL.	
	Examiner Matthew Bradley	Art Unit 2187	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 9 is/are rejected.
- 7) ☒ Claim(s) 6-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This Office Action has been issued in response to amendment filed 13 June 2007. Applicant's arguments have been carefully and fully considered but are moot in view of the new ground(s) of rejection as necessitated by amendment. Accordingly, this action has been made FINAL.

Claim Status

Claims 1-7 and 9 remain pending and are ready for examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-7 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation, 'the rewriter activation section automatically activating the rewriter to start processing when the second bus is detected to have no connection to any device.' This is indefinite. As there appears to be no positive recitation of a connection between the rewriter and the rest of the device as claimed, the Examiner is unsure as to how the rewriter activation section can activate the rewriter to start processing upon detection of no connection from any device to the second bus, if there is no connection to allow the rewriter activation section to realize such detection of a lack of a connection. Thus, claim 1 is rendered indefinite as being incomplete for

omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01.

Claim 1 recites the limitation "the command packet" in line 14. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the second" in line 14. This is indefinite. The Examiner is unsure as to what "second" is being referenced here.

Claim 9 recites the limitation, 'the rewriter activation section automatically activating the rewriter to start processing when the second bus is detected to have no connection to any device.' This is indefinite. As there appears to be no positive recitation of a connection between the rewriter and the rest of the device as claimed, the Examiner is unsure as to how the rewriter activation section can activate the rewriter to start processing upon detection of no connection from any device to the second bus, if there is no connection to allow the rewriter activation section to realize such detection of a lack of a connection. Thus, claim 9 is rendered indefinite as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01.

Claim 9 recites the limitation "the command packet" in lines 16-17. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "the second" in line 17. This is indefinite. The Examiner is unsure as to what "second" is being referenced here.

Any claim not specifically addressed is rejected to at least by virtue of its dependency.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims **1-5** and **9** are rejected under 35 U.S.C. 102(b) as being anticipated by Born (U.S. 6,115,771), hereinafter referred to as Born. The instant 35 U.S.C. 102(b) rejections are made in view of the 5 U.S.C. 112 2nd rejections as noted *supra*.

As per independent claims **1** and **9**, Born teach, a circuit which is connected to a first bus, the first bus being connectable to a first device; (Figure 1 item 44 as taught in Column 5 lines 55-60) an interface circuit which is connectable to a second bus and is coupled to the circuit, the second bus being connectable to a second device; (Figure 1 item 46 as taught in Column 5 lines 12-16) a non-volatile memory which stores at least one of device information and data transfer control program information and is coupled to the circuit; (Figure 2 item 70 as taught in Column 5 lines 32-40) a rewriter; and a rewriter activation section, (Column 5 lines 40-54 taught as the programming of the ORB into the ROM) the data transfer control device having a bus bridge function between the first bus conforming to a first interface standard and the second bus conforming to a second interface standard, the bus bridge function being realized by issuing a command included in the command packet transferred from the first device

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through the first bus, to the second through the second bus, (Column 5 line 55 to Column 6 line 22 and Column 7 lines 53-55) the rewriter activation section automatically activating the rewriter to start processing when the second bus is detected to have no connection to any device before a normal data transfer using the bus bridge function, the rewriter loading and writing information transferred from the first device through the first bus into a rewrite area of the non-volatile memory when the rewriter is activated by the rewriter activation section, when the second bus is detected to have a connection to the second device, the circuit performing packet transfer through the first bus conforming to the first interface standard and the interface circuit performing interface processing with the second device conforming to the second interface standard to realize the normal data transfer using the bus bridge function (Column 5 line 55 to Column 6 line 22). *The Examiner notes herein that Born teach a method and system for converting computer peripheral equipment to SCSI-compliant devices. The system converts SCSI commands in a IEEE-1394 format into ATA commands. This allows the system of Born to communicate with any device connected thereto (Column 4 lines 61-65). The system initializes and establishes a protocol for communication with the attached device. Upon wanted change of the device (Column 7 lines 11-59 taught as "Media change requested"), the system of Born downloads and programs the ORB into the ROM to allow the system to continue mapping when a new device is subsequently connected (Column 5 lines 40-54).*

As per dependent claim 2, Born teach, wherein the detection of whether or not the second bus is connected to the second device is based on the result of an access to

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a register of the second device (Column 5 lines 9-20: taught as a reset and "Not ready" in the pseudo code following).

As per dependent claim 3, Born teach, wherein the rewriter writes information into the rewrite area by performing data transfer between the data transfer control device and the first device connected to the first bus in a mode of loading information to the rewrite area (Column 5 lines 40-54 taught as the programming of the ORB into the ROM).

As per dependent claim 4, Born teach, wherein data transferred from the first device through the first bus is transferred to a second device through the second bus, and data transferred from the second device through the second bus is transferred to the first device through the first bus, in an ordinary operating mode that differs from a mode of loading information to the rewrite area (Column 5 line 55 to Column 6 line 22).

As per dependent claim 5, Born teach, wherein the device information includes identification information that is specific to an electronic instrument in which the data transfer control device is embedded (Column 8 lines 8-31).

Allowable Subject Matter

Claims 6-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 13 June 2007 have been carefully and fully considered but are moot in view of the new ground(s) of rejection as necessitated by amendment.

With respect to applicant's argument located within the fourth and fifth paragraphs of the first page of the instant remarks (numbered as page 6) which generally respond to the 35 U.S.C. 112 2nd rejections set forth in the Office Action Mailed 15 November 2006, the Examiner partially disagrees. The Examiner wishes to draw attention to page 5 of the aforementioned Office Action in which the Examiner questioned the rewriter knowing when to start processing if it is not connected to discover a disconnect that would trigger processing. The Examiner has maintained this portion of the rejection and further clarified his position in the Office Action *supra* and respectfully requests clarification.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew Bradley whose telephone number is (571) 272-8575. The examiner can normally be reached on 6:30-3:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald A. Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Brian R. Pugh
Primary Examiner
9/4/07